

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MARGARITA PEREZ,

Plaintiff,

v.

SPRINGFIELD POLICE DEPARTMENT, et
al.,

Defendants.

Civil Action No. 24-30079-MGM

ORDER REGARDING REPORT AND RECOMMENDATION
AND PLAINTIFF'S MOTION TO SEAL
(Dkt. Nos. 14 and 17)

May 7, 2025

MASTROIANNI, U.S.D.J.

After *de novo* review and noting that Plaintiff failed to file a proper objection, the court adopts Judge Robertson's thorough and well-reasoned analysis.¹ However, even if Plaintiff had properly objected, her claims against the Massachusetts Department of Children and Families are barred by the Eleventh Amendment to the United States Constitution. Furthermore, the criminal statutes cited by Plaintiff did not provide for private rights of action, while the two other civil statutes cited in the amended complaint are not relevant to the factual allegations of the complaint. Finally, for the reasons articulated in the report and recommendation, Plaintiff fails to state a claim under 42 U.S.C. § 1983

¹ After Judge Robertson entered her report and recommendation, Plaintiff filed a number of documents and exhibits. These included a flash drive of videos and screenshots, a copy of the Congressional Record containing a 1967 speech by a segregationist member of Congress wrongly asserting the Reconstruction Amendments were illegal, and two letters from a non-party. Even construing these generously as objections, the court finds them without merit.

against the Springfield Police Department.

Accordingly, the court adopts Judge Robertson's report and recommendation. (Dkt. No. 14.) Plaintiff's amended complaint is dismissed without prejudice. Plaintiff's motion to seal is denied as moot. (Dkt. No. 17.) This case may now be closed.

It is So Ordered.

/s/ Mark G. Mastroianni
MARK G. MASTROIANNI
United States District Judge